REMARKS

This application has been reviewed in light of the Office Action dated May 4, 2009. Claims 1-3, 5, 6, 9-12, 15 and 18 are presented for examination, of which Claims 1, 6, 9 and 15 are in independent form. Claims 1, 6, 9 and 15 have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 2, 9 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,174,515 (Marshall et al.).

In addition, Claims 3 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Marshall* in view of U.S. Patent Application Publication 2002/0099569 (Thirsk), Claim 5, as being unpatentable over *Marshall* and *Thirsk* and further in view of U.S. Patent Application Publication 2003/0055317 (Taniguchi et al.), Claims 6, 15 and 18, as being unpatentable over *Marshall* in view of U.S. Patent Application Publication 2004/0062421 (Jajubowski et al.), and Claim 11, as being unpatentable over *Marshall* in view of *Taniguchi*.

Applicants submit that the independent claims, together with their dependent claims, are patentably distinct from the cited prior art for at least the following reasons.

As discussed in the specification, after viewing an X-ray image that is currently displayed, a user, such as physician, may create a diagnosis report (para. [0045]).

The present invention relates to an image handling system and its control method. According to one aspect of the present invention, the system determines whether such a diagnosis report is available (Abstract). If not, the system restricts the display of another X-ray image so as to prevent the omission of generating a diagnosis report for an X-ray image that is currently displayed (para. [0052]).

Claim 1 recites, among other features, a processor that processes a control of judging presence or absence of an inputting of the image reading report corresponding to the medical image displayed on a monitor, "display[s] an image for inputting an image reading report corresponding to the medical image displayed on said monitor in case where the input of the image reading report is judged absent, and restrict[s] a change of displaying the medical image in case where the input of the image reading report is judged absent" (Applicants point out that this feature is clearly supported in Fig. 2 , step S206, etc.). This feature makes it possible to reduce the burden of a user's operation for inputting image reading report including both of inputted medical image and not inputted medical image.

This feature is not believed to be disclosed or suggested in *Marshall*. As Applicants understand, *Marshall* relates to an apparatus which provides a display station for reviewing computer aided detection (CAD) results which is independent of a traditional motorized viewer for examining original radiological films (*see* col. 1, lines 44-58 and col. 2, lines 39-59). It is intended for saving a physician from having to invest in a special motorized viewer that has an integrated CAD image viewer or to modify an existing motorized viewer to incorporate CAD monitors (*see* col. 1, lines 55-58). *Marshall* does not concern making a determination of whether a user has created a diagnosis report for an X-ray image that is currently displayed.

The portion of *Marshall* cited in the Office Action as disclosing the processor of Claim 1 describes merely the determination of whether a user has finished viewing a CAD image that is displayed on the display station and indicated an intent to view the next CAD image – by moving the motorized viewer belt, scanning a new image ID, pressing a next/done key, etc. It does not involve the determination of whether the user has further provided a diagnosis report

upon viewing the image. Certainly, it does not involve the prevention of displaying another image if a diagnosis report is not yet available. Therefore, *Marshall* is not believed to disclose or suggest the recited processor, which processes a control of judging presence or absence of an inputting of the image reading report corresponding to the medical image displayed on a monitor, and restricts a change of displaying the medical image in a case where the inputting of the image reading report is judged absent.

Moreover, in *Marshall*, a review corresponding to a medical image is inputted in advance, and Applicants submit that nothing in that patent would in any way suggest judging whether reviews have been already inputted before a user input reviews (see Fig. 7B, steps S775, S780).

For this reason, also, it is believed to be clear that the quoted feature of the processor recited in Claim 1 is not taught or suggested by *Marshall*. Moreover, *Marshall* does not provide the technical advantage of the invention that it is possible to reduce the burden of a user's operation for inputting image reading report including both of inputted medical image and not inputted medical image.

Even if *Jajubowski*, *Thirsk* and *Taniguchi* are deemed to disclose everything for which they are cited, that is not believed to remedy the deficiency noted above. Accordingly, Claims 1 is believed patentable over these documents, considered separately or in any permissible combination.

Independent Claims 6, 9 and 15 recite features similar to those discussed above with respect to Claim 1 and, therefore, are also believed to be patentable over these documents for the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims. Therefore, the independent claims are believed to be allowable over the art of record.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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